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## TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

Application Number	10/756,878
Filing Date	January 13, 2004
First Named Inventor	John Rollinger
Art Unit	3747
Examiner Name	Hieu T. Vo
Total Number of Pages in This Submission	4
Attorney Docket Number	81090606

### ENCLOSURES (Check all that apply)

<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): 1. Issue Fee Transmittal 2. Comments on Statement of Reasons for Allowance
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### SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	Allergan-Pfaltz-Gowen, Russell & Tuttle LLP		
Signature			
Printed name	John D. Russell		
Date	April 8, 2005	Reg. No.	47,048

### CERTIFICATE OF TRANSMISSION/MAILING

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Lauren Barberena

Date April 8, 2005

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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04/08/2005 11142 FAX 503 459 4142

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→ USPTO Issue Fee  003/004

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of:

April 8, 2005

**JOHN ROLLINGER and ERIC LUEHRSEN**

Serial No. : 10/756,878 Group Art Unit: 3661  
Filed : January 13, 2004 Examiner: Hieu T. Vo  
For : COMPUTER READABLE STORAGE MEDIUM AND CODE FOR  
ADAPTIVELY LEARNING INFORMATION IN A DIGITAL  
CONTROL

Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Sir:

**COMMENTS ON STATEMENT OF REASONS FOR ALLOWANCE**

Applicants received a Notice of Allowance dated January 11, 2005 on the above-identified patent application. In the Notice, the Examiner allowed claims 1-19. The Examiner also paraphrased applicant's claimed invention as part of the stated reasons for allowance. Applicant agrees with the Examiner's conclusions regarding the patentability of the allowed claims, without necessarily agreeing with or acquiescing in the Examiner's reasoning. In particular, applicant believes that the application is allowable because the prior art fails to teach or suggest the invention as claimed, independent of how the invention is paraphrased.

Please contact the undersigned if you have any questions or comments, or if applicant can be of any assistance in expediting issuance of the patent.

CERTIFICATE OF FACSIMILE

I hereby certify that this correspondence is being sent to the U.S. Patent and Trademark Office via facsimile at (703) 746-4000 on April 8, 2005.



Lauren Barberena

Respectfully submitted,

ALLEMAN HALL MCCOY RUSSELL & TUTTLE LLP



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